

County Attorney: Mary Bright 545-4963 \ \

(Type your name & phone #.) (Initials) (Date)

CAO/Mayor: James Huntzicker 545-4514 \ (Initials) \ (Date)

ITEM NO: \_\_\_\_\_

PREPARED BY: Johnathan Russell

APPROVED BY: \_\_\_\_\_

**A resolution approving an amendment to the existing contract between Shelby County Government and Correct Care Solutions, Inc. (CCS) to extend the contract term for the period July 1, 2010 through June 30, 2011 for the provision of inmate medical care at the Jail at 201 Poplar and the Correction Center facilities at Mullins Station that will allow for the institutionalizing of the processes and procedures that led to the dismissal of the Department of Justice order against the Jail and the full accreditation of the Jail, and appropriation of said funds. This item requires expenditure of General funds provided in an amount not to exceed \$9,615,478.00 for services provided to all Jail facilities and in an amount not to exceed \$5,732,610.00 for services provided to the Correction Center, for a total amount of \$15,348,088.00, which represents no increase of cost over the amounts provided for in FY10. Resolution sponsored by Commissioner Deidre Malone.**

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**WHEREAS**, The County has the need for the provision of inmate medical services for the Shelby County Jails (includes main Jail at 201 Poplar and Jail East at Shelby Farms), hereinafter “Jail” and the Shelby County Correctional Center, hereinafter “SCCC” and hereinafter individually known as the “Facility” and collectively known as the “Facilities”; and

**WHEREAS**, The County issued a Request for Proposals (“RFP”) No. 06-001-36, Inmate Medical Services, on January 31, 2006, and Correct Care Solutions, Inc. (“Provider”) responded to said RFP on March 17, 2006; and

**WHEREAS**, The Provider demonstrated the knowledge and expertise to provide such services; and

**WHEREAS**, The County awarded the RFP to Provider on May 10, 2006; and

**WHEREAS**, The County and the Provider entered into a contract on June 28<sup>th</sup>, 2006 that was adopted by the Shelby County Board of Commissioners on the June 26, 2006 agenda (Item #14) with the term commencing on July 1, 2006 through June 30, 2007, with an option to renew for three (3) additional one-year periods upon mutual written agreement; and

**WHEREAS**, Each of those options was renewed in the subsequent fiscal periods, ending with the fiscal year ending June 30, 2010; and

**WHEREAS**, That on November 16, 2009, after eight (8) years of its issuance, the U.S. Department of Justice (DOJ) finally and unconditionally dismissed the lawsuit against Shelby County Government and Shelby County Sheriff; and

**WHEREAS**, That on October 21, 2009, the DOJ concurred that that the County has attained compliance with all terms of the Settlement Agreement (U.S. v. Shelby County, No. 02-2633 (W.D. Tenn.)), commending “...the County administration, Sheriff

Mark Luttrell, and the entire Shelby County Jail staff on this significant achievement achieved through dedication and a deep-rooted commitment to improving conditions at the..." Jail; and

**WHEREAS**, That Correct Care Solutions, Inc. (CCS), as the provider of inmate medical care services, was central and critical to those aforementioned achievements; and

**WHEREAS**, After having just achieved those milestones, the County desires to ensure that those policies and procedures are institutionalized so that there will be no degradation of those achievements; and

**WHEREAS**, There will be no increase in the cost of those services to the County from FY 10 to FY 11 in acknowledgement of the current difficult economic times.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SHELBY COUNTY, TENNESSEE**, That the contract extension for the provision of inmate medical care between the County and CCS for the period of July 1, 2010 through June 30, 2011 at no increase of cost over the FY10 contract is hereby approved.

**BE IT FURTHER RESOLVED**, That the continuation of the said contract and amendment is subject to the conditions of the contract and addendum and allocation of funds by the Shelby County Board of Commissioners.

**BE IT FURTHER RESOLVED**, That the County Mayor is hereby authorized to execute the said contract amendment on behalf of Shelby County Government, an executed copy of which is to be placed on file in the Purchasing Department.

**BE IT FURTHER RESOLVED**, That the County Mayor and the Director of Administration and Finance are authorized to issue their warrant or warrants to the extent of appropriations made in this resolution and to take proper credit in their accounting therefore.

\_\_\_\_\_  
Joe Ford, Interim County Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of County Commission

ADOPTED: \_\_\_\_\_

## **SUMMARY SHEET**

### **I. Description of Item**

Requesting approval to extend an existing contract with Correct Care Solutions, Inc. ("CCS") for the period of July 1, 2010 – June 30, 2010 in an amount not to exceed \$15,348,088.00, which represents no increase over the contractual amount for the fiscal year ending June 30, 2010. The contract is for the provision of inmate medical care services at the Jail and Shelby County Correction Center. The request is being made in recognition of the dismissal by the U.S. Department of Justice of a lawsuit against the County and the Sheriff (November 16, 2009) and a court order to improve conditions at the Jail (October 21, 2009) and the critical role that CCS performed and continues to perform toward those achievements.

### **II. Source and Amount of Funding**

<b>A. Division of Health Services</b>		
Operating Budget No. 010-400330-6653		
Medical Contract – Inmates		<b>\$9,615,478.00</b>
<b>B. Corrections Center Fund</b>		
Operating Budget No. 956-350102-6653		
Medical Contract – Inmates		<b>\$5,732,610.00</b>

### **III. Additional Information Relevant to Approval of this Item**

- A. Administration recommends approval of this resolution.**
- B. There is no increase of cost to the County for this activity over the FY10 contracted amounts.**
- C. This contract requires the provider to provide inmate medical care to the Jail (201 Poplar and Jail East at 6201 Haley) and the Shelby County Correction Center (SCCC, located at 1045 Mullins Station) in a manner as to meet all necessary laws, rules and regulations required in operating these facilities.**

### **IV. Justification for Extension of contract for the provision of inmate medical care**

- A. CCS played an essential role in developing and maintaining an infrastructure in providing inmate medical services at the Jail that resulted in the dismissal of a long-standing lawsuit (notification received November 16, 2009 from the U.S. Department of Justice) and court order by the U.S. Department of Justice (notification received October 21, 2009 from the U.S. Department of Justice) against the County and the Sheriff. Now that we have reached these milestones, we do not believe it is time to**

**potentially change providers and risk suffering a degradation of performance that would result in lost gains just so recently achieved.**

- B. The vendor has agreed to a one-year extension at no increase in cost. The original contract called for annual increases of 4.25%. By agreeing to a flat contract for FY11, the County is saving \$408,658 in the Health Services Division budget, and \$243,636 in the Corrections Center Fund's budget.**